

Understanding the Second Chance Act

Sec. 101: State and Local Reentry Demonstration Projects

Background

On April 9, 2008, President Bush signed the Second Chance Act ([P.L. 110-199](#)) into law. The bill received bipartisan support in both chambers of Congress in its passage and is supported by a broad spectrum of leaders representing states, law enforcement, corrections, courts, and local governments. This first-of-its-kind legislation will authorize various grants to government agencies and nonprofit groups to provide employment assistance, substance abuse treatment, housing, family programming, mentoring, victims support, and other services that can help reduce re-offending and violations of probation and parole.

This guide is intended to help states, local governments, and tribes prepare for the Second Chance Demonstration grants should funding become available. The following information details the specific grant requirements contained in the law.

Section 101: The Adult and Juvenile Offender State and Local Reentry Demonstration Projects

Many in state and local government are anxious for the State and Local Reentry Demonstration Projects to be made available. The Second Chance Act reauthorizes the Adult and Juvenile Offender State and Local Reentry Demonstration Projects (Sec. 101) to help states and communities test ways to reduce recidivism and address the alarming recidivism rates nationwide. The Demonstration grants are authorized at \$55 million per year, though the appropriations process will determine the actual funding level of the program.

Who Can Apply?

States, units of local governments, and tribal entities may apply for Demonstration Project grants to be used to promote the safe and successful reintegration into the community of individuals who have been incarcerated.

Allowable Uses

Demonstration grants include the following allowable uses:

- prerelease planning and coordination
- employment services
- substance abuse and mental health treatment
- housing
- family programming
- mentoring
- victims services
- methods to improve release and revocation decisions using risk-assessment tools

Mandatory Requirements

The law includes mandatory requirements for state, local governments and tribal entities in order to be selected under the grant program. ***Applications will not be considered if these requirements are not addressed in the application.***

These requirements state that each applicant:

- have the support of the chief executive officer of the state/entity in coordination with a state-level council on reentry, local government, or tribe.
- provide discussion of the role of corrections in ensuring successful reentry.
- provide evidence of collaboration with state and local government agencies overseeing health, housing, child welfare, employment services, and local law enforcement.
- provide analysis and identification of regulatory and statutory hurdles to a prisoner's reintegration into the community.
- include the use of a reentry task force.
- develop a comprehensive strategic reentry plan that contains annual and 5-year performance outcomes to help determine the effectiveness of the program funded. The strategic reentry plan must have as a goal to reduce recidivism by 50 percent over a 5-year period for offenders released from prison, jail, or a juvenile facility who are served with funds made available under this section.
- Each grantee must report annually on the progress of the following selected performance measures to determine the outcome of the project:
 - reduction in recidivism rates
 - reduction in crime
 - increase in employment and education opportunities
 - reduction in violations of conditions of supervised release
 - increase in payment of child support
 - increase in housing opportunities
 - reduction in drug and alcohol abuse
 - increase in participation in substance abuse and mental health services
 - other measures determined by the grantee to be necessary in tracking performance

Priority Considerations

The law also includes priority considerations, which direct the Attorney General to give priority to grant applications under this section that

- focus initiative on geographic areas with a disproportionate population of offenders released from prisons, jails, or juvenile facilities;
- include input from nonprofit organizations, in any case where relevant input is available and appropriate to the grant application;
- consult with crime victims and offenders who are released from prisons, jails, or juvenile facilities;
- coordinate with families of offenders;
- demonstrate effective case assessment and management abilities in order to provide comprehensive and continuous reentry, including
 - planning while offenders are in prison, jail, or a juvenile facility; prerelease transition housing; and community release;
 - establishing prerelease planning procedures to ensure that the eligibility of an offender for federal or state benefits upon release is established prior to release, subject to any limitations in law, and to ensure that offenders obtain all necessary referrals for reentry services;
 - delivery of continuous and appropriate drug treatment, medical care, job training and placement, educational services, or any other service or support needed for reentry;
- review the process by which the applicant adjudicates violations of parole, probation, or supervision following release from prison, jail, or a juvenile facility, taking into account public safety and the use of graduated, community-based sanctions for minor and technical violations of parole, probation, or supervision (specifically those violations that are not otherwise, and independently, a violation of law);
- provide for an independent evaluation of reentry programs that include, to the maximum extent possible, random assignment and controlled studies to determine the effectiveness of such programs;
- target high-risk offenders for reentry programs through validated assessment tools.

Reentry Task Force

States, counties, cities, or tribes that apply for Demonstration Grant funds must establish a reentry task force to guide the jurisdiction in reentry-related efforts.

The law specifies a number of members of each task force, including state, tribal, or local leaders and representatives from relevant agencies, service providers, nonprofit organizations, and other stakeholders. The task force is charged with examining ways to pool resources and funding streams to promote lower recidivism rates for returning offenders, collecting data and best practices in offender reentry from agencies and organizations. The task force may also be charged with developing the reentry strategic plan, a requirement for all grantees under the Demonstration Projects.

Matching Requirement

Demonstration Project applicants are required to provide a 50 percent match to the federal share received under the grant. Of that match, 50 percent of those dollars can be met through in-kind contributions of goods or services for the project, and the other 50 percent must be a match of funding for the program that supplements project work and does not supplant existing dollars spent on reentry.

Matching Requirement Example

Total cost of project = \$100.00

Match equation:

\$50.00	Federal Demonstration Project grant +
\$25.00	In-kind contribution from grantee (staff time, equipment) +
\$25.00	Dollar match by applicant =

\$100	

For More Help

The [Reentry Policy Council](#) (RPC) is a project coordinated by the [Council of State Governments Justice Center](#), a national nonprofit organization that provides practical, nonpartisan advice and consensus-driven strategies – informed by available evidence – to increase public safety and strengthen communities. The Reentry Policy Council was established to assist state government officials grappling with the increasing number of people leaving prisons and jails to return to the communities they left behind. The comprehensive *Report of the Re-Entry Policy Council*, published in 2005, reflects the results of their work: policy statements and recommendations to promote the safe and successful return of individuals from prison or jail to the community. The Reentry Policy Council has a number of resources available to the field.

If you have not already done so, you may subscribe to the Council of State Governments Justice Center’s RPC newsletter: <http://www.reentrypolicy.org/subscribe>. If and when the Second Chance Act is funded, the newsletter will provide detailed information about how to apply for funding.

For more information, please visit <http://justicecenter.csg.org> or email [Jessica Nickel](mailto:jnickel@csg.org) at jnickel@csg.org.